



## Declaration and Power of Attorney for Patent Application

### 特許出願宣言書及び委任状

#### Japanese Language Declaration

#### 日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named inventor, I hereby declare that:

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

TRANSMITTING DIVERSITY SYSTEM

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない：

the specification of which is attached hereto unless the following box is checked:

☐ \_\_\_\_\_ の日に出願され、  
この出願の米国出願番号または PCT 国際出願番号は、  
\_\_\_\_\_ であり、且つ  
\_\_\_\_\_ の日に補正された出願（該当する場合）

☐ was filed on \_\_\_\_\_  
as United States Application Number or  
PCT International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第 37 編規則 1.56 に定義されている、特許性について重要な情報を開示する義務があることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

# Japanese Language Declaration

(日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一國を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(a)-(d)項又は第365条(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日より前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Prior Foreign Application(s)  
外国での先行出願

Priority Not Claimed  
優先権主張なし

_____ (Number) (番号)	_____ (Country) (国名)
_____ (Number) (番号)	_____ (Country) (国名)

_____ (Day/Month/Year Filed) (出願日/月/年)	<input type="checkbox"/>
_____ (Day/Month/Year Filed) (出願日/月/年)	<input type="checkbox"/>

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編119条(e)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

_____ (Application No.) (出願番号)	_____ (Filing Date) (出願日)
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_____ (Application No.) (出願番号)	_____ (Filing Date) (出願日)
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私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主題が、米国法典第35編第112条第1段に規定された態様で、先行する米国出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願日との間の期間中に入手された情報で、連邦規則法典第37編規則1.56に定義された特許性に関わる重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

PCT/JP01/03790 (Application No.) (出願番号)	May 2, 2001 (Filing Date) (出願日)
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Pending (Status: Patented, Pending, Abandoned) (現況 : 特許許可、係属中、放棄)
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_____ (Application No.) (出願番号)	_____ (Filing Date) (出願日)
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_____ (Status: Patented, Pending, Abandoned) (現況 : 特許許可、係属中、放棄)
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私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ情報と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを理解した上で陳述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Japanese Language Declaration**  
(日本語宣言書)

委任状： 私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び／または弁理士を任命する。(氏名及び登録番号を記載すること)

Aaron B. Karas, #18,923; Samson Helfgott, #23,072; Linda S. Chan, #42,400; Michael Markowitz, #30,659; Brian S. Myers, #46,947; Harris A. Wolin, #39,432; Shahar Islam, #32,507; Serle Mosoff #25,900; Emma Shleifer, #29,734; and Thomas J. Bean, #44,528.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

書類送付先

Send Correspondence to:  
Rosenman & Colin, LLP  
IP Department  
575 Madison Avenue  
New York, NY 10022-2858

直通電話連絡先: (氏名及び電話番号)

Direct Telephone Calls to: (name and telephone number)  
the responsible attorney, or  
to Samson Helfgott at (212) 940-8800  
Docket:

唯一または第一発明者氏名

Full name of sole or first inventor  
Hiroyuki SEKI

発明者の署名

日付

Inventor's *signature*

*Hiroyuki Seki* *Aug. 25, 2003*

住所

Residence  
Kawasaki, Japan

国籍

Citizenship  
Japanese

郵便の宛先

Post Office Address  
c/o FUJITSU LIMITED, 1-1, Kamikodanaka 4-chome,

Nakahara-ku, Kawasaki-shi, Kanagawa 211-8588 Japan

第二共同発明者がいる場合、その氏名

Full name of second joint inventor, if any  
Daisuke JITSUKAWA

第二共同発明者の署名

日付

Second inventor's *signature*

*Daisuke Jitsukawa* *Aug. 25, 2003*

住所

Residence  
Kawasaki, Japan

国籍

Citizenship  
Japanese

郵便の宛先

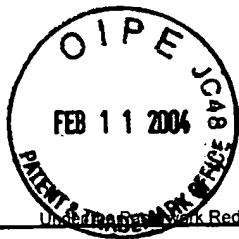
Post Office Address  
c/o FUJITSU LIMITED, 1-1, Kamikodanaka 4-chome,

Nakahara-ku, Kawasaki-shi, Kanagawa 211-8588 Japan

(第三以下の共同発明者についても同様に記載し、署名を  
すること)

(Supply similar information and signature for third and subsequent  
joint inventors.)

第三共同発明者がいる場合、その氏名		Full name of third joint inventor, if any Yoshinori TANAKA	
第三共同発明者の署名	日付	Third Inventor's <del>signature</del>	Date
		<i>Yoshinori Tanaka</i>	<i>Aug 25, 2003</i>
住所		Residence Kawasaki, Japan	
国籍		Citizenship Japanese	
郵便の宛先		Post Office Address c/o FUJITSU LIMITED, 1-1, Kamikodanaka 4-chome,	
		Nakahara-ku, Kawasaki-shi, Kanagawa 211-8588 Japan	
第四共同発明者がいる場合、その氏名		Full name of fourth joint inventor, if any	
第四共同発明者の署名	日付	Fourth inventor's <del>signature</del>	Date
住所		Residence	
国籍		Citizenship	
郵便の宛先		Post Office Address	



**REQUEST FOR FILING A CONTINUATION OR DIVISION OF AN INTERNATIONAL APPLICATION**

DOCKET NUMBER	ANTICIPATION CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
FUJO 20.695	CLASS	SUBCLASS		

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b) of pending prior international application Number PCT JP01/03790, filed on 05/02/2001 entitled TRANSMITTING DIVERSITY SYSTEM, which designated the United States.

Note: 37 CFR 1.53(d) cannot be used to file a continuation or divisional application of an international application which has not entered the national stage.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))		14 - 20 =		x \$ <sup>18</sup> ---- =	\$ 0
INDEPENDENT CLAIMS (37 CFR 1.16(b))		2 - 3 =		x \$ <sup>84</sup> ---- =	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				x \$ <sup>280</sup> ---- =	
				BASIC FEE (37 CFR 1.16(a))	770
				Total of above Calculations =	770
				Reduction by 50% for filing small entity (Note 37 CFR 1.27).	
				Total =	770

- Enclosed are the specification, claims and drawing(s).
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ The Director is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment of Deposit Account No. 50-1290. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ Application Data Sheet is enclosed. See 37 CFR 1.76.
- ☐ Amend the specification by inserting before the first line the sentence: "This application is a ☐ continuation ☐ division of international application number PCT \_\_\_\_\_, filed \_\_\_\_\_ (status, abandoned, pending, etc.)."

[Page 1 of 2]

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR FILING A CONTINUATION OR DIVISION OF AN INTERNATIONAL APPLICATION**

8. ☒ A declaration under CFR 1.63 is enclosed.
9. ☐ Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_  
in \_\_\_\_\_ is claimed under 35 U.S.C. 119(a)-(d).
- ☐ The certified copy is enclosed.
10. ☐ A preliminary amendment is enclosed.
11. ☒ Also enclosed: ITEMIZED POSTCARD

Address all future correspondence to: (May only be completed by applicant, or attorney or agent or record).

KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE 15TH FLOOR

NEW YORK, NY 10022-2585

CUSTOMER NUMBER: 026304

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

10/30/2003

Date

212-940-8800

Telephone Number



Signature

Thomas J. Bean

Typed or printed name

44,528

Registration Number, if applicable

- ☐ Inventor(s)/Applicant(s)
- ☐ Assignee of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ Attorney or agent of record
- ☐ Filed under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.



**PATENTS**  
TO: Assistant Commissioner for Patents

Serial/Patent No. \_\_\_\_\_

Filing date \_\_\_\_\_

Inventor(s): \_\_\_\_\_

Title: Transmitting and receiving system

Atty Docket No. FILED 201645

Date Mailed 10/20/03

Attorney \_\_\_\_\_

The U.S. Patent & Trademark Office stamp herein acknowledges receipt of the following:

☒ Application (Utility ☒ or Design ☐)

☒ Preliminary Amendment

☒ Declaration and Power of Attorney

☒ Transmittal Letter, copy to associate

☒ Small Entity Form

☒ Assignment and Cover Sheet in duplicate

☐ Response to Office Action

☐ Petition

☐ Certificate of Mailing

☒ Express Mail Certificate-Label # 31284028

☐ Other: \_\_\_\_\_

Total Pages 1-31

Sheets of Drawings (Figs. 1-9)

☐ Fee Transmittal Sheet

☐ Response to Missing Parts

☐ Amendment

☐ IDS & Citation in Application Form

☐ Certified Copy of Priority Document

☐ Check(s) # \_\_\_\_\_ for \$ \_\_\_\_\_

☐ Letter to Official Draft Person

☐ Corrected Figures

☐ Request for Refund of Fee